Patent Attorney Docket No. <u>1034301-000001</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Akira Kumagai et al.

Application No.: 10/808,34

Filed: March 25, 2004

For: **FILM-FORMING METHOD FOR** FORMING METAL OXIDE ON

SUBSTRATE SURFACE

MAIL STOP ISSUE FEE

Group Art Unit:

Examiner:

Confirmation No.:

COMMENTS CONCERNING REASONS FOR ALLOWANCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In the Notice of Allowability issued in this application, the Examiner has described features that were not found in the prior art. However, the scope of the claims should be determined by the claim language itself, and not by the identification of elements by the Examiner that were not found in the prior art.

In the event that there are any questions concerning these comments, please contact the undersigned.

Respectfully submitted.

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